

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	Case No. 1:20-CR-143
v.)	
)	Honorable T.S. Ellis, III
ZACKARY ELLIS SANDERS,)	
)	
<i>Defendant.</i>)	
_____)	

**GOVERNMENT’S MOTION TO SEAL REPLY TO RESPONSE TO SUPPLEMENTAL
BRIEF IN OPPOSITION TO DEFENDANT’S MOTION TO COMPEL DISCOVERY**

The United States of America, by and through its undersigned counsel and pursuant to Local Criminal Rule 49(C) and 49(E), moves to file under seal an un-redacted copy of the government’s reply to the defendant’s response to the government’s supplemental brief in opposition to his motion to compel. A redacted copy of the reply has been filed on the public docket. Dkt. No. 67. The un-redacted copy will be delivered to the clerk’s office with a copy of this motion and emailed to defense counsel. A proposed Order is attached for the consideration of the Court.

The government’s reply responds to arguments and information regarding the underlying investigation in this matter that are subject to a protective order. *See* Dkt. No. 28. Through the protective order, the parties have agreed that certain information related to the investigation contained within the defendant’s instant motion and the parties’ filings should be filed under seal. This investigation is ongoing and sensitive, and the government believes that the details of this investigation are not widely known. Sealing is therefore necessary in order to safeguard this information.

The Court has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests. *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984). Such sealing is within the discretion of this Court and may be granted for "any legitimate prosecutorial need." *United States v. Ramey*, 791 F.2d 317, 321 (4th Cir. 1986); *see also, Baltimore Sun Co. v. Goetz*, 886 F.2d 60, 65 (4th Cir. 1989).

Accordingly, the United States requests that the government's reply to the defendant's response to the government's supplemental brief in opposition to his motion to compel be filed and remain under seal until further order of the Court

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

Date: August 19, 2020

By: /s/
William G. Clayman
Special Assistant United States Attorney (LT)
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: 703-299-3700
Fax: 703-299-3981
Email: William.G.Clayman@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which automatically generated a Notice of Electronic Filing to the parties of record.

By: /s/
William G. Clayman
Special Assistant United States Attorney (LT)
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: 703-299-3700
Fax: 703-299-3981
Email: William.G.Clayman@usdoj.gov